

This is the <sup>2nd</sup> Affidavit of Amanda Simister in this action  
and was made on December 13, 2017

No. S-179749  
VANCOUVER REGISTRY

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

**IN THE MATTER OF THE RECEIVERSHIP OF NETWORK INTELLIGENCE INC.**

BETWEEN:

1130489 B.C. LTD.

PETITIONER

AND:

NETWORK INTELLIGENCE INC.

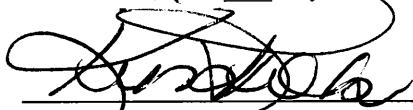
RESPONDENT

**AFFIDAVIT**

I, Amanda Simister, Legal Assistant, of 1600 – 925 West Georgia Street, Vancouver, British Columbia, MAKE OATH AND SAY AS FOLLOWS:

1. I am a Legal Assistant with Lawson Lundell LLP, counsel for the Petitioner 1130489 B.C. Ltd. (“113”). As such have personal knowledge of the facts and matters hereinafter deposed to, save and except where the same are stated to be made upon information and belief, and, as to such facts, I verily believe the same to be true.
2. Attached hereto and marked as *Exhibit “A”* is a true copy of an email chain between Sarah J. Nelligan, counsel for 113, and counsel at Murphy & Company LLP, who advised that they had been retained by Network Intelligence (“NI”) “on a limited scope retainer in respect of advising [NI] in relation to” these court proceedings.
3. Attached hereto and marked as *Exhibit “B”* is a true copy of an email chain between Kimberley A. Robertson, counsel for 113 and various counsel at Murphy & Company LLP.

SWORN BEFORE ME at the City of )  
Vancouver, in the Province of British )  
Columbia, this 13 day of December, 2017. )



A Commissioner for taking Affidavits within )  
British Columbia )

**KIMBERLEY A. ROBERTSON**  
*Barrister & Solicitor*  
**1600 - 925 WEST GEORGIA ST.**  
**VANCOUVER, B.C. V6C 3L2**  
**(604) 685-3456**



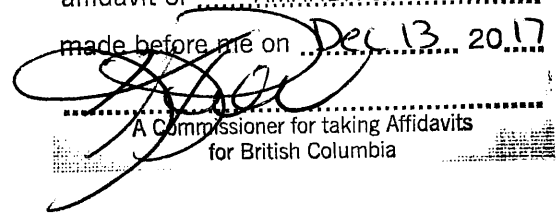
AMANDA SIMISTER

**Kimberley Robertson (3142) - 17Flr**

**From:** Kimberley Robertson (3142) - 17Flr  
**Sent:** Monday, October 30, 2017 12:45 PM  
**To:** Mustafa Mohamedali; Timothy W. Murphy  
**Subject:** Re: Network Intelligence Inc.

**FilingDate:** 10/30/2017 7:26:00 PM

This is Exhibit "A" referred to in the affidavit of AMANDA SIMISTER made before me on Dec 13 2017



Mr. Mohamedali,

Please note that I will be speaking to tomorrow's application. Please advise if you will be appearing at tomorrow's application and, if so, on whose behalf and when we can expect to receive any response materials.

Yours truly,

Kimberley A. Robertson  
Direct: 604-631-9142

Sent from my iPad

On Oct 27, 2017, at 1:41 PM, Sarah Nelligan (3199) - 17Flr <[snelligan@lawsonlundell.com](mailto:snelligan@lawsonlundell.com)> wrote:

The documents are being sent to you for your information as per your request. We are not asking you to accept service on behalf of NI.

They've already been sent via courier.

Sarah Nelligan

On Oct 27, 2017, at 1:39 PM, Mustafa Mohamedali <[mmohamedali@murphyandcompany.com](mailto:mmohamedali@murphyandcompany.com)> wrote:

Dear Sarah,

Thank you for the email and the attachment.

To reiterate, at this stage, we are on a limited retainer and have not formally been retained as solicitors of record to defend or represent Network Intelligence Inc. in these proceedings. As such, we cannot accept service of any pleadings until our client authorizes us otherwise.

If any document is sent simply for our information, we should be grateful if they could be forwarded by email.

Kind regards

Mustafa

**Mustafa Mohamedali\***

**Please take note of our new address and update your records for service accordingly**

**Murphy & Company LLP**  
203 – 815 Hornby Street  
Vancouver, British Columbia V6Z 2E6  
Tel: 1 (800) 708-3884  
Fax: (604) 648-9308

Email: [mmohamedali@murphyandcompany.com](mailto:mmohamedali@murphyandcompany.com)  
Website: [www.murphyandcompany.com](http://www.murphyandcompany.com)

*\*Denotes law corporation*

*This email is confidential and may be legally privileged. If you have received it in error, you are on notice of its status. Please notify me immediately by reply email and then delete this message from your system. Please do not copy it or use it for any purposes, or disclose its contents to any other person: to do so could be a breach of confidence. Thank you for your co-operation.*

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**From:** Sarah Nelligan [mailto:[snelligan@lawsonlundell.com](mailto:snelligan@lawsonlundell.com)]  
**Sent:** October 27, 2017 1:00 PM  
**To:** Mustafa Mohamedali <[mmohamedali@murphyandcompany.com](mailto:mmohamedali@murphyandcompany.com)>  
**Cc:** Timothy W. Murphy <[tmurphy@murphyandcompany.com](mailto:tmurphy@murphyandcompany.com)>; Kimberley Robertson <[krobertson@lawsonlundell.com](mailto:krobertson@lawsonlundell.com)>  
**Subject:** RE: Network Intelligence Inc.

Mustafa,

The amount due and owing pursuant to the promissory note is \$350,000, plus costs to date (which I do not have a figure for). Interest will be post-judgment when/if judgement is obtained.

The cumulative indebtedness is approximately \$3,446,023. This does not include any legal fees or disbursements to date. Also, NI has a daily burn rate of approximately \$85,000. As such, provided my client is willing to keep funding the venture (which is currently contingent on a receiver being in place), this figure will change rapidly.

I will get certain documents to you shortly.

I fail to see what if any relevance my client's shareholdings in NI has to this matter.

Finally, I'm not sure if your client has advised you that the Director of Employment Standards will very likely be making a determination shortly as to whether NI was a common employer along with 39 other Istuary related entities (see the attached). The determination has already been made with respect to Istuary Innovation Labs. If such a determination is made as against NI, the Director will be in a position to prime my client's security to the tune of approximately \$2-3 million. This is a significant risk which necessitates the need for a receiver in short order. To that end, our application materials will be delivered to your office later this afternoon.

Sarah

Sarah J. Nelligan  
Lawson Lundell LLP  
D 604.631.9199 | F 604.641.2816

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**From:** Mustafa Mohamedali [<mailto:mmohamedali@murphyandcompany.com>]  
**Sent:** Friday, October 27, 2017 12:12 PM  
**To:** Sarah Nelligan (3199) - 17Flr  
**Cc:** Timothy W. Murphy  
**Subject:** RE: Network Intelligence Inc.

Dear Sarah,

Thank you for taking the time to speak this morning.

I can confirm that we have been retained by Network Intelligence Inc. on a limited scope retainer in respect of advising our client in relation to the court proceedings commenced by your client, 1130489 B.C. Ltd. Please note that we are not, at this stage, formally retained to respond to the Petition however that may change subject to our client's instructions.

As you can appreciate, our client's sole director is overseas and he may not have access to all the documents. I would be grateful if you could confirm and provide the following:

1. The amount that is owed to your client under the terms of the Promissory Note dated September 12, 2017. In your letter you claim interest and legal costs.
2. The aggregate amount your client is owed by our client.
3. Any documents relating to the monies owed by our client, including any loan agreements, promissory notes, security agreement etc. I understand that although the Loan and Services Agreement, and the security documents apart from the GSA were terminated on September 12, 2017, there are other convertible loan agreements in place, which are secured by other security documents, including another share pledge agreement.
4. Confirmation of whether your client holds any shares of our client, and if so, how many shares and when were the share rights exercised.

You mentioned in our call that your client intended to make an application to the Court next week. While we are not formally retained, I would be grateful if you could notify me prior to such an application being made so that we can take any necessary steps.

Finally, I confirm that we have sought clarity on the two issues you mentioned, namely whether an assignment in bankruptcy had been made and whether there is an issue with respect to the waiving of the notice period under s244(1).

Kind regards

**Mustafa Mohamedali\***

**Please take note of our new address and update your records for service accordingly**

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**Murphy & Company LLP**

203 – 815 Hornby Street

Vancouver, British Columbia V6Z 2E6

Tel: 1 (800) 708-3884

Fax: (604) 648-9308

Email: mmohamedali@murphyandcompany.com

Website: www.murphyandcompany.com

*\*Denotes law corporation*

*This email is confidential and may be legally privileged. If you have received it in error, you are on notice of its status. Please notify me immediately by reply email and then delete this message from your system. Please do not copy it or use it for any purposes, or disclose its contents to any other person: to do so could be a breach of confidence. Thank you for your co-operation.*

This email and any accompanying attachments contain confidential information that may be subject to solicitor-client privilege and are intended only for the named recipients.

If you have received this email in error, please notify the sender and destroy the email.

Our e-mail terms of use can be found at <http://www.lawsonlundell.com/disclaimer.html>



File # 188-525

September 29, 2017

Registered Mail

**TO: Istuary Innovation Labs Inc. and 39 other corporations as set out at Appendix A**

at the following Registered and Records Office addresses:

2700, 1055 West Georgia  
Vancouver BC V6E 3P3

25<sup>th</sup> Floor – 700 West Georgia St.  
Vancouver BC V7Y 1B3

2300 – 550 Burrard St  
Vancouver BC V6C 2B5

Suite 2300 – Bentall 5  
550 Burrard St  
Vancouver BC V6C 2B5

1055 West Georgia Street  
1500 Royal Centre, P.O Box 11117  
Vancouver BC V6E 4N7

800 -1125 Howe St  
Vancouver BC V6Z 2K8

**Attn: Sirs/ Madames**

**Re: Investigation under the *Employment Standards Act***

On July 26, 2017 and subsequently on August 2, 2017, the Director of Employment Standards notified Istuary Innovation Labs Inc. (the Employer) that an investigation was commenced on behalf of all employees to determine whether wages were owed under the *Employment Standards Act* (the Act).

Istuary Innovation Labs Inc. has responded by providing payroll records for all of its employees in British Columbia for the period of December 1, 2016 to July 31, 2017. In addition, the Employer's accounting and human resources departments have also provided a breakdown of wages outstanding for each employee for the period of June 15, 2017 to August 25, 2017.

Based on the information received to date from the Employer, it appears the total amount of wages outstanding for period of June 15, 2017 to August 25, 2017 is **\$3,553,397.27**. This amount is consistent with the amount the Employer acknowledged as outstanding during the investigation process. An individual breakdown for each employee is attached to this document as Appendix B in spreadsheet format.

In addition, the Director of Employment Standards is investigating whether the 39 legal entities set out at Appendix A should be found to be associated under section 95 of the Act (excerpt attached) and treated as one employer for the purposes of the Act. The evidence before me is that these legal entities are under common control and direction as evidenced by the fact that Yian (Ethan) Sun is a director or officer of all 40 legal entities. The statutory purpose for associating these legal entities is to ensure wages are paid in accordance with the Act.

**Ministry of Labour**

Employment Standards  
Branch

Mailing Address:

250 – 4600 Jacombs Road  
Richmond, B.C. V6V 3B1

Telephone: (604) 660-4946  
Facsimile: (604) 713-0450



I am providing you with an opportunity to explain the relationship between the Employer and the 39 corporations set out in Appendix A. Specifically, what is the nature of each corporations' business and does the corporation have any involvement in the operation or affairs of the Employer. I have also attached an excerpt regarding Section 96 of the Employment Standards Act in reference to director and corporate officer liability. Directors and officers of a corporation associated under section 95 of the Act are personally liable for wages.

Please provide your respond with written submissions and all supporting documentation by no later than **4:00 PM on October 10, 2017**. If you do not dispute the preliminary findings that wages are owed, please provide a certified cheque payable to the Director of Employment Standards in the amount of **\$3,553,397.27** by no later than **4:00 PM on October 10, 2017**. If you take statutory deductions, please provide a wage statement for each employee.

In the event I do not hear back from you in writing by **4:00 PM on October 10, 2017**, a determination will be issued based on the evidence in the file finding that the *Employment Standards Act* has been contravened and that wages are owed. The determination will order all wages be paid within 5 days as well as the mandatory penalty for each requirement of the Act found to have been contravened.

Please note any and all further wages potentially outstanding pursuant to the Act and Regulation after August 25, 2017 will be addressed by a further Director initiated investigation for all employees.

Your assistance in resolving this matter is appreciated. If you have any questions or wish to discuss this matter further, please contact me at [Sukhdeep.kaila@gov.bc.ca](mailto:Sukhdeep.kaila@gov.bc.ca)

Yours truly,

Sukh Kaila  
Delegate of the Director of Employment Standards

cc: directors and officers of the 40 corporations by registered mail

Yian (Ethan) Sun – Director of all 40 corporations  
800 – 1125 Howe Street and  
Vancouver BC V6Z 2K8

1125 Howe Street  
Vancouver BC V6Z 2K8

Wei Wang - Director of Istuary Toronto Capital Inc.  
16 cedar Glen Court  
Kleinburg Ontario L0J 1C0

Lixin Wang - Director of Istuary Toronto Capital Inc.  
147 Strathearn Avenue  
Richmond Hill Ontario L4B 2L7

Gina Law - Officer of Istuary Innovation Institute Ltd.  
7052 Dow Avenue  
Burnaby BC V5J 3W9



Appendix "A"

Istuary Labs Inc.  
Istuary Group Holdings Ltd.  
Istuary Innovation Fund I Limited Partnership  
Istuary Innovation Fund II Limited Partnership  
Istuary Innovation Fund III Limited Partnership  
Istuary Investment Management Inc.  
Ethertone Technologies Inc.  
Istuary Innovational Group  
Istuary Idea labs Inc.  
Acorn Networks Inc.  
Istuary Animation Studio Inc.  
Network Intelligence inc.  
Istuary Deep Vision Inc.  
Istuary innovation Institute Ltd.  
Istuary IOT Labs Inc  
DGUT-Istuary Overseas Centre Ltd.  
Istuary Matrix Computing Inc.  
Istuary immersive Virtual Reality Studio Inc.  
Istuary Toronto Innovation Fund I Limited Partnership  
Istuary Eye Inc.  
Istuary Online Education Inc.  
Istuary Pacific Education Ltd.  
Istuary Education Group Ltd.  
Istuary Big Computing Inc.  
Istuary Data Analytics Inc.  
Istuary Consulting Ltd.  
Istuary Cultural & Creative Industries Group Ltd.  
Istuary Data Storage Fund I limited Partnership  
Istuary E-Living Ltd.  
Istuary Capital Inc.  
Istuary Equity Partners Limited Partnership  
Istuary Media Engine Inc.  
Istuary Media Limited  
Istuary Platinum Fund II Limited Partnership  
Istuary Platinum Fund III Limited Partnership  
Istuary Platinum Fund IV Limited Partnership  
Istuary Tech Venture Investment Ltd.  
Istuary Venture Capital Inc.  
Istuary Toronto Capital Inc.

## Appendix "B"

Employee Name	TOTAL REG. WAGES	TRAVEL ALLOWANCE	BONUS	VACATION PAY	OTHER COMPENSATION	TOTAL
ASSADI BAHAREH	1634.62	0	0	2419.23	0	0
BARAKOV MIHAIL	20833.35	0	0.00	0	0	0
BENEDICTO MARILOU	11666.65	0	0	0	0	0
BERHANE SIMON	16249.98	0	0	0	0	0
BLUMER BENJAMIN	11942.31	0	0	1315.38	0	0
BUSBY ROBERT	12500	0	0	0	0	0
CAI FEIYANG	10923.08	0	0	1223.08	0	0
CAI RUIBO	21250.02	0	0	0	0	0
CHAN OPHELIA	18711.54	0	0	686.54	0	0
CHEN HUIJIANG (KEVIN)	14583.35	0	0	0	0	0
CHEN I-AN (HARRY)	30499.98	0	0	0	0	0
CHEN JIUN-BIN (MILES)	21519.23	0	0	2665.38	0	0
CHEN SHUO (VINCENT)	4532.05	0	0	1157.69	0	0
CHEN SI (SISSI)	13750.02	0	0	0	0	0
CHRISTOPHE ALLADOUIM	25000.02	0	0	0	0	0
CUGLIETTA DANIEL	19999.98	0	0	0	0	0
DENG HUI (DAVID)	25000.02	0	0	0	0	0
DONG TIANKUI (DONNIE)	25000.02	0	750	0	0	0
Dong, Zhe (Jason)	14576.92308	0	0	0	0	0
DUAN YAN	2958.33	0	0	675	0	0
ELHELW NEDAL M	19999.98	0	0	0	0	0
FANG QIFENG (JEFFO)	27499.98	0	0	0	0	0
FENG CHAO	16500	0	0	0	0	0
FENG XIAO (JOYCE)	11458.35	0	0	0	0	0
FENNIG KURT	3076.92	0	0	0	0	0
FERGUSON JAYME	30000	0	0	0	0	0
FOLARIN FEYJIMI (JIMI)	9648	0	0	0	0	0
FORMAGGIO YANNICK	14375	0	0	0	0	0
GAJENDRAN MANIVANNAN	18750	0	0	0	0	0
GAO HAIBING (KEVIN)	28750.02	0	0	0	0	0
GAO XIAO (ROSE)	6250	0	0	0	0	0
GAO ZHENZHI	19999.98	0	0	0	0	0
GE GANG (GEORGE)	23749.98	0	750	0	0	0
GLENN-ANDERSON SEBASTIAN	14166.65	0	0	0	0	0
GONG FUXIANG (ANDY)	21250.02	0	0	0	0	0
GOSTAF KIRILL	21250.02	0	0	0	0	0
GU YAN	13750.02	0	0	0	0	0
GUAY FRANCOIS M	20833.35	0	0	0	0	0
GUO TIELI (TALEY)	17500.02	0	750	0	0	0

## Appendix "B"

GUO WEI XIONG (KEVIN)	28750.02	0	0	0	0	0	0	0	0
GUO XIAOSHENG (SAM)	12499.98	0	0	0	0	0	0	0	0
HAN EDWARD	18125	0	0	0	0	0	0	0	0
HAN JIAQI (JACKY)	13541.65	0	0	0	0	0	0	0	0
HAN SHUAI (SHAUN)	23749.98	0	0	0	0	0	0	0	0
HARKNESS DAVID	29807.67	0	0	0	0	0	0	0	0
HO SHENG-YEN (IAN)	17557.68	0	0	0	0	0	1819.23	0	0
HONG JASON	25000	0	0	0	0	0	0	0	0
HOUNSLOW KYLE	15000	0	0	0	0	0	1453.85	0	0
HSU ERIC I-HUNG	34999.98	0	0	0	0	0	0	0	0
HUA ZICHENG (SIMON)	8757.04	0	0	0	0	0	0	0	0
HUANG HOWARD	9648	0	0	0	0	0	0	0	0
HUANG SHUPING (ELYN)	11041.65	0	0	0	0	0	0	0	0
HUANG WEIYAO (JACK)	33750	0	0	0	0	0	0	0	0
ITO TETSUHIKO (TETSU)	17500.02	0	0	0	0	0	0	0	0
JIN XIA (SIRENA)	18961.56	0	0	0	0	0	0	0	0
JIN XIAOYE (JADA)	16249.98	0	0	0	0	0	0	0	0
JOHNS STEVE	2307.69	0	0	0	0	0	0	0	0
KATIC OGNJEN	28750.02	0	0	0	0	0	0	0	0
KEIBI AMIR	18038.45	0	0	0	0	0	1292.31	0	0
KU CHING PING (CHERRIE)	9499.98	0	0	0	0	0	0	0	0
KWONG DOMINIQUE	12708.34	0	0	0	0	0	762.5	8798	0
LAM ANDREW	11794.88	0	0	0	0	0	176.92	0	0
LAM YIN KIT (SAVIO)	9648	0	0	0	0	0	0	0	0
LEE YONGHEE (ADAM)	15999.99	0	0	0	0	0	0	0	0
LI DEER	25000.02	0	0	0	0	0	0	0	0
LI HENING	19999.98	0	0	0	0	0	0	0	0
LI HOI LAM (ELAINE)	12083.35	0	0	0	0	0	0	0	0
LI HONGJIE (JEFFERY)	35250	0	0	0	0	0	0	0	0
LI JIAN	22500	0	0	0	0	0	0	0	0
LI KAIBIN	28000.02	0	0	0	0	0	0	0	0
LI LIAM	7008	0	0	0	0	0	608	0	0
LI XIAORUI	17500.02	0	0	0	0	0	0	0	0
LI XIAORUI (SHERRY)	9100	0	0	0	0	0	0	0	0
LI XINHUA	10000.02	0	0	0	0	1355.25	0	0	0
LIM SHAWN	12500	0	0	0	0	0	2682.69	0	0
LIN CHAO (EDDIE)	27499.98	0	0	0	0	0	0	0	0
LIN CHIN-HSIN (EDDY)	23749.98	0	0	0	0	0	0	0	0
LIU DESMOND	26250	0	0	0	0	0	0	0	0
LIU HONGJIE (MICHAEL)	33000	0	0	0	0	0	0	0	0
LIU JING	17500.02	0	0	0	0	0	0	0	0

## Appendix "B"

LIU LIZHI (DENNIS)	25000.02	0	0	0	0	0
LIU WEI (ALEX)	29705.11	0	0	0	3069.23	0
LIU XIANG (BILLY)	32500.02	0	0	0	0	0
LIU YANG (HELEN)	11250	0	0	0	0	0
LIU ZHAO (CHARLES)	19999.98	0	0	0	0	0
Liu, Yang (Vera)	6720	0	0	0	0	0
LOW YUNSHON (SHON)	31249.98	0	0	0	0	0
LU CHAOXIA	15000	0	0	0	0	0
LU HANYING	17250	0	0	0	0	0
LU MING	20833.35	0	0	0	0	0
LUC QUEENIE	13749.98	0	0	0	0	0
LUCHESE MAGNIUS	19999.98	0	0	0	0	0
LUI EDDIE (MAN)	20025.63	0	0	0	0	0
LY TOAN	27499.98	0	0	0	0	0
MA QIANJIE (DEV)	19999.98	0	0	0	0	0
MA ZIYU (ANNETTE)	11458.35	0	0	0	0	0
MAI WEINENG (SIMON)	20500.02	0	0	0	0	0
MAN TONG (MARTIN)	22500	0	0	0	0	0
MCKAY HARRIS	11256	0	0	0	0	0
MIN BYUNGYOON	30000	0	0	0	0	0
MOHSENI KIASARI NIMA	21250.02	0	0	0	0	0
MOLLAH KAMRUZZAMAN (ZAMAN)	28750.02	0	0	0	0	0
NORTHCOTT PHIL	11250	0	0	0	0	0
OOI YEELOONG	11833.32	0	0	0	775	0
PALANICHAMY JANARTHANAN	13641.01	0	0	0	1969.23	0
PAN HAIPENG (TED)	26250	0	0	0	0	0
PASRIJA MOHIT	16945.53	0	0	0	1340.38	0
PENG FENG (JASON)	23749.98	0	0	0	0	0
PLASTERER JOHN	33750	0	0	0	0	0
QIU YUQING	10720	0	0	0	0	0
QUMU ASABUXI (SOFIA)	10999.98	0	0	0	0	0
REN SHENGRU (MELODY)	6353.85	0	0	0	904.61	0
RICHARDS KENNETH	14583.35	0	0	0	0	0
RIVERA BAIZABAL ALBERTO	10230.77	0	0	0	530.77	0
SHAHOSSEINI BEHNAZ	18750	0	0	0	0	0
SHANG YUJIAO (JONEY)	16249.98	0	0	0	0	0
SHEN XIAOXING (HOWARD)	19858.99	0	0	0	0	0
SI WEI (AMY)	11458.35	0	0	0	0	0
SINGH MANDEEP	22500	0	0	0	0	0
SIRAJ SAILOR	22500	0	0	0	0	0
SOKHANDAN ASL NEGIN	21250.02	0	0	0	0	0

## Appendix "B"

SU YU CHIEH	25160.24	0	0	0	3221.15	0	0
SU YU CHUN (JEAN)	23076.93	0	0	0	3261.54	0	0
SUN YANG	25000.02	0	0	0	0	0	0
SUN YU WEN (NANCY)	17708.33	0	0	0	0	0	0
SUN YUN (LAURA)	19950	0	0	0	0	0	0
SURESH BABU SHABNAM	10230.77	0	0	0	0	0	0
SZLAVY MARCELL	13750.02	0	0	0	0	0	0
TANG HO WAI (HOWARD)	20749.98	0	0	0	0	0	0
TANG YUE (FRIEDA)	8910.24	0	0	0	769.23	0	0
TAO YIGANG	12499.98	0	0	0	0	0	0
TENG LIJUN	27499.98	1875	0	0	0	0	0
TIAN BOHUA (CANDACE)	16666.65	0	0	0	0	0	0
TONG YI (TYRAEL)	19326.92	0	0	0	3346.15	5769.23	0
TSAI KUO-SHENG (JASON)	13125	0	0	0	0	0	0
TWOMEY TOMAS JOSEPH	13365.38	0	0	0	0	0	0
VELAYUDHAN NANDA KUMAR	19999.98	0	0	0	0	0	0
WAN DANNY	11256	0	0	0	0	0	0
WANG BIN-RUEI (RAY)	18750	0	0	0	0	0	0
WANG CONGZHONG	21250.02	0	0	0	0	0	0
WANG FAN (IVY)	10416.65	0	0	0	0	0	0
WANG SUQIN (SUSAN)	15000	0	0	0	0	0	0
WANG XI (ERIC)	17500.02	0	0	0	0	0	0
WANG XUDONG	17500.02	0	0	0	0	0	0
WANG YI (WILSON)	20269.25	0	0	0	0	0	0
WANG YING (WANDA)	21250.02	0	0	0	0	0	0
WANG YU RONG (LINDA)	19999.98	0	0	0	0	0	0
WANG YUGE	28750.02	0	0	0	0	0	0
WANG ZHENYING (DANIEL)	22500	0	0	0	0	0	0
WHITE DAVE	33750	0	0	0	0	0	0
WONG KIN SUM (BEN)	19999.98	0	0	0	0	0	0
WONG PAK WAN (VINCENT)	3541.67	0	0	0	719.23	0	0
WONG WALKER SHIRLEY	14166.65	0	0	0	0	0	0
WU WENBIN (MICHAEL)	19000.02	0	0	0	0	0	0
XI MENG (SIMON)	14612.83	0	0	0	1135.38	0	0
XIE SI HANG	8040	0	0	0	0	0	0
XIE YIFENG (WENDY)	16249.98	0	0	0	0	0	0
XING LIWEI	20530.77	0	0	0	2079.23	0	0
XING LU	13000.02	0	0	0	0	0	0
XU CHENG (RENE)	19471.15	0	0	0	2855.77	0	0
XU HAOHAN (SAM)	22500	0	0	0	0	0	0
XU LIN	30000	0	0	0	0	0	0



EMPLOYMENT STANDARDS ACT  
(excerpts)

**Section 95: Associated employers**

If the director considers that businesses, trades or undertakings are carried on by or through more than one corporation, individual, firm, syndicate or association, or any combination of them under common control or direction,

- (a) the director may treat the corporations, individuals, firms, syndicates or associations, or any combination of them, as one employer for the purposes of this Act, and
- (b) if so, they are jointly and separately liable for payment of the amount stated in a determination, a settlement agreement or an order of the tribunal, and this Act applies to the recovery of that amount from any or all of them.

**Section 96: Corporate officer's liability for unpaid wages**

- 96 (1) A person who was a director or officer of a corporation at the time wages of an employee of the corporation were earned or should have been paid is personally liable for up to 2 months' unpaid wages for each employee.
- (2) Despite subsection (1), a person who was a director or an officer of a corporation is not personally liable for
- (a) any liability to an employee under section 63, termination pay or money payable in respect of individual or group terminations, if the corporation is in receivership,
  - (b) any liability to an employee for wages, if the corporation is subject to action under section 427 of the Bank Act (Canada) or to a proceeding under an insolvency Act,
  - (c) vacation pay that becomes payable after the director or officer ceases to hold office, or
  - (d) money that remains in an employee's time bank after the director or officer ceases to hold office.
- (2.1) If a corporation that is a talent agency has received wages from an employer on behalf of an employee and fails to pay those wages, less any fees allowed under the regulations, to the employee within the time required under the regulations,
- (a) a person who was a director or officer of the corporation at the time the wages were received is personally liable for the amount received by the corporation from the employer, less any fees allowed under the regulations, and
  - (b) that amount is considered for the purposes of subsection (3) to be unpaid wages.
- (3) This Act applies to the recovery of the unpaid wages from a person liable for them under subsection (1) or (2.1).

**Kimberley Robertson (3142) - 17Flr**

**From:** Ian Sorenson <isorenson@murphyandcompany.com>  
**Sent:** Tuesday, October 31, 2017 12:10 PM  
**To:** Kimberley Robertson (3142) - 17Flr  
**Subject:** RE: Network Intelligence Inc.

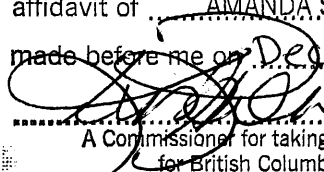
**FilingDate:** 10/31/2017 12:11:00 PM

Ms. Robertson,

It was a pleasure attending with you today.

Thank you for the quick delivery of the entered order.

Should there be anything further, please feel free to contact us.

This is Exhibit " B " referred to in the  
affidavit of AMANDA SIMISTER  
made before me on Dec 13 2017  
  
A Commissioner for taking Affidavits  
for British Columbia

Best,  
**Ian K. Sorenson BSc., JD.**  
**Murphy & Company LLP**  
203 – 815 Hornby Street,  
Vancouver, British Columbia  
Canada V6Z 2E6  
Tel: (604) 639-3644  
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*\*Denotes law corporation  
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---

**From:** Kimberley Robertson [<mailto:kr Robertson@lawsonlundell.com>]  
**Sent:** October-31-17 11:42 AM  
**To:** Mustafa Mohamedali <[mmohamedali@murphyandcompany.com](mailto:mmohamedali@murphyandcompany.com)>; Timothy W. Murphy <[tmurphy@murphyandcompany.com](mailto:tmurphy@murphyandcompany.com)>; [isorenson@murphyandcompany.com](mailto:isorenson@murphyandcompany.com)  
**Subject:** RE: Network Intelligence Inc.

Further to Mr. Sorenson's attendance in court this morning, we enclose a copy of the entered order for your records.

Yours truly,

Kimberley Robertson | Partner  
Lawson Lundell LLP  
D 604.631.9142 | 403.218.7527 | F 604.641.4428

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No. S-179749  
VANCOUVER REGISTRY

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

**IN THE MATTER OF THE RECEIVERSHIP OF NETWORK  
INTELLIGENCE INC.**

BETWEEN:

1130489 B.C. LTD.

PETITIONER

AND:

NETWORK INTELLIGENCE INC.

RESPONDENT

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**AFFIDAVIT #2 OF  
AMANDA SIMISTER**

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Barristers & Solicitors  
1600 Cathedral Place  
925 West Georgia Street  
Vancouver, British Columbia  
V6C 3L2  
Phone: (604) 685-3456  
Attention: Sarah J. Nelligan